

**CITY OF NEWPORT BEACH
COUNCIL CHAMBERS – 3300 NEWPORT BOULEVARD
Thursday, March 11, 2010
Regular Meeting – 3:30 p.m.**

HEARING ITEMS

ITEM NO. 1.

Modification Permit No. MD2009-025 (PA2009-142)
131 Topaz Avenue

Council District 5

SUMMARY:

A modification permit for a remodel of an existing, non-conforming duplex. The duplex is non-conforming because it currently provides less than two parking spaces per unit. Pursuant to Section 20.62.040.C.2, a modification permit is required for structures that do not provide the code-required number of parking spaces (two per unit) when the amount of existing structural members altered/replaced is between 25 and 50 percent. The property is located in the R-1.5 (Two-Family Residential) District.

RECOMMENDED

ACTION:

- 1) Conduct public hearing; and
- 2) Approve Modification Permit No. MD2009-025 (PA2009-142) subject to the recommended findings and conditions.

CEQA

COMPLIANCE:

The project is exempt from environmental review pursuant to Section 15302, Class 2 (Replacement or Reconstruction) of the Implementing guidelines of the California Environmental Quality Act.

APPEAL PERIOD: Modification Permit applications do not become effective until 14 days after the date of action, during which time an appeal may be filed with the Planning Commission Secretary in accordance with the provisions of the Newport Beach Municipal Code. Tentative Parcel Map, Condominium Conversion, Lot Merger, and Lot Line Adjustment applications do not become effective until 10 days following the date of action, during which time an appeal may be filed with the Planning Commission Secretary in accordance with the provisions of the Newport Beach Municipal Code.

If in the future, you wish to challenge in court any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues which you (or someone else) raised orally at the public hearing or in written correspondence received by the City at or before the hearing.

Any writings or documents provided to the Zoning Administrator regarding any item on this agenda will be made available for public inspection in the office of the Planning Department located at 3300 Newport Boulevard during normal business hours.

It is the intention of the City of Newport Beach to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, the City of Newport Beach will attempt to accommodate you in every reasonable manner. Please contact the Planning Department at least 48 hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible.